

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

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IN RE: METOPROLOL SUCCINATE  
END-PAYOR ANTITRUST LITIGATION

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)  
) Civil Action No. 06-71 GMS  
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THIS DOCUMENT RELATES TO:

ALL ACTIONS

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**UNOPPOSED MOTION TO AMEND PRETRIAL ORDER NO. 1  
AND TO WITHDRAW PRICKETT, JONES & ELLIOTT, P.A.  
AS CO-LIAISON COUNSEL**

Prickett, Jones & Elliott, P.A. ("Prickett, Jones") hereby moves the Court for an Order amending Pretrial Order No. 1 Regarding Consolidation of End-Payor Actions, permitting it to withdraw as Co-Liaison Counsel. In support of its motion, Prickett, Jones states as follows:

1. Pursuant to paragraph V.2.a. of the Pretrial Order No. 1 Regarding Consolidation of End-Payor Actions dated April 5, 2006 (the "Consolidation Order") (D.I. 13), Prickett, Jones and Chimicles & Tikellis, LLP ("Chimicles") were designated Co-Liaison Counsel. The Consolidation Order also designated three law firms as Co-Lead Counsel for plaintiffs: Schiffrin & Barroway, LLP; Fine, Kaplan and Black, R.P.C; and Milberg Weiss Berhad & Schulman, LLP (together, "Plaintiffs' Co-Lead Counsel").

2. Prickett, Jones now seeks to withdraw from this matter pursuant to Local Rule 83.7 such that Chimicles would remain as sole plaintiffs' Liaison Counsel, and respectfully requests that the Court amend its Consolidation Order to reflect that Chimicles shall act as sole Liaison Counsel.

3. On November 30, 2006, pursuant to Local Rule 83.7, Prickett, Jones filed a notice of Substitution of Counsel (D.I. 31) with respect to the following four (4) related actions in which it had appeared on behalf of plaintiffs, withdrawing its appearance and substituting the appearance of Chimicles as counsel for plaintiffs:

- *Mary Anne Gross v. Astrazeneca AB, et al.*, C.A. No. 06-81 (GMS);
- *United Union of Roofers, Waterproofers and Allied Workers, Local No. 74 Health and Pension Fund and United Union of Roofers Waterproofers and Allied Workers, Local No. 203 Health and Pension Fund v. Astrazeneca AB, et al.*, C.A. No. 06-93 (GMS);
- *Thelma Clement v. Astrazeneca Pharmaceuticals L.P., et al.*, C.A. No. 06-336 (GMS); and
- *Dorothy Ferguson v. Astrazeneca Pharmaceuticals L.P., et al.*, C.A. No. 06-392 (GMS).

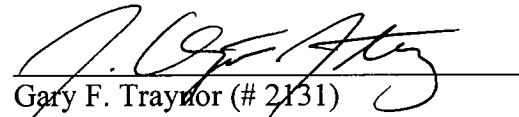
These action have all been consolidated pursuant to the Consolidation Order.

4. The administrative responsibilities of Liaison Counsel can be adequately managed by the Chimicles firm. Both Chimicles and Plaintiffs' Co-Lead Counsel concur with the proposed amendment of the Consolidation Order and with the withdrawal of Prickett, Jones, and submit that plaintiffs and the proposed class will in no way be prejudiced by entry of the Proposed Order. Defendants also do not oppose this motion.

WHEREFORE, Prickett, Jones respectfully requests that the Court enter an Order, in the form attached hereto, amending the Consolidation Order to name Chimicles & Tikellis, LLP sole Liaison Counsel in this consolidated action, and permitting Prickett, Jones & Elliott, P.A. to withdraw.

Dated: December 1, 2006

**PRICKETT, JONES & ELLIOTT, P.A.**

  
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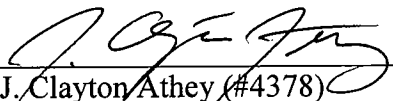
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One Pennsylvania Plaza  
New York, NY 10119

***Co-Lead Counsel for Plaintiffs***

**CERTIFICATE OF SERVICE**

I, J. Clayton Athey, hereby certify that on December 1, 2006, I electronically filed the foregoing Unopposed Motion To Amend Pretrial Order No. 1 And To Withdraw Prickett, Jones & Elliott, P.A. As Co-Liaison Counsel with the Clerk of the Court using CM/ECF, and caused notification of such filing to be sent to the following counsel of record:

Karen Jacobs Loudon, Esquire  
Morris Nichols Arsht & Tunnell  
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Wilmington, DE 19801

  
\_\_\_\_\_  
J. Clayton Athey (#4378)

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FOR THE DISTRICT OF DELAWARE**

IN RE: METOPROLOL SUCCINATE  
END-PAYOR ANTITRUST LITIGATION

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THIS DOCUMENT RELATES TO:

## ALL ACTIONS

## ORDER

IT IS HEREBY ORDERED that Prickett, Jones & Elliott, P.A.'s ("Prickett, Jones") motion to amend Pretrial Order No. 1 Regarding Consolidation of End-Payor Actions dated April 5, 2006 (the "Consolidation Order") (D.I. 13) is GRANTED. Prickett, Jones is permitted to withdraw from this action and Chimicles & Tikellis, LLP will continue to carry out the duties of Liaison Counsel.

SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

United States District Judge